

To: Duran, Matt[duran.matt@epa.gov]
From: Buhl, Rick
Sent: Wed 8/12/2015 7:42:03 PM
Subject: RE: final proposed draft FW: final review requested. FW: Action needed. DRAFT Please review and attach guidance where indicated. Thanks.

No worries... Lot's of coordination was required and a lot of cooks in the kitchen. I truly appreciate your leadership on this.

Rick

Rick Buhl

Assistant Regional Administrator, Office of Technical and Management Services

USEPA Region 8 | 1595 Wynkoop St (8TMS-IO) | Denver, CO 80202-1129

Office: (303) 312-6920

Need a Meeting? Contact Missy Haniewicz at 303-312-7059

From: Duran, Matt
Sent: Wednesday, August 12, 2015 1:41 PM
To: Buhl, Rick
Subject: Re: final proposed draft FW: final review requested. FW: Action needed. DRAFT Please review and attach guidance where indicated. Thanks.

Uh, I'm sorry this took so long.

Matt Duran

Director, Information Systems Program | Office of Technical & Management Services
USEPA Region 8 | 1595 Wynkoop Street (8TMS) | Denver CO 80202-1129 | 303-312-6921

On Aug 12, 2015, at 1:39 PM, Buhl, Rick <Buhl.Rick@epa.gov> wrote:

Thanks to all for pulling this together so fast!

Rick

Rick Buhl

Assistant Regional Administrator, Office of Technical and Management Services

USEPA Region 8 | 1595 Wynkoop St (8TMS-IO) | Denver, CO 80202-1129

Office: (303) 312-6920

Need a Meeting? Contact Missy Haniewicz at 303-312-7059

From: Duran, Matt

Sent: Wednesday, August 12, 2015 1:31 PM

To: Buhl, Rick

Cc: Kortuem, Patrice; Boydston, Michael; MacLeish, Phoebe; Ward, W. Robert; Hammitt, Jennifer

Subject: final proposed draft FW: final review requested. FW: Action needed. DRAFT
Please review and attach guidance where indicated. Thanks.

Rick,

See final proposed draft below. Many thanks to ORC and Phoebe for the review.

Matt

Originator: Deb or Rick

To: All Region 8 (or specific ARAship)

*****DRAFT*****

Dear Region 8 Colleagues:

I greatly appreciate all of your efforts both dealing with the Gold King mine spill, and keeping the rest of our important work in EPA Region 8 moving forward. I feel it is important to remind you all of the need to preserve agency records, especially in the area of text messages. While we recognize the value text messaging can provide, especially during emergency response situations, records management guidelines ***must*** still be followed. EPA discourages the use of text messaging, on any mobile device, to send or receive substantive Agency records. If such use does occur, then the person creating or sending the text message must copy it into their EPA email account at the time of transmission, or else forward that message to their EPA email account within 20 days of creation or sending. Also, you will likely need to **save any messages** related to Gold King, *regardless of whether it is a federal record*. This is because many communications related to Gold King are likely to be responsive to pending Freedom of Information Act requests. In addition, communications about Gold King are covered by a litigation hold requiring their preservation until further notice. **Do not delete any communications that are in any way related to Gold King or to the Animas River.**

The information found in the link below provides guidance on how to forward text messages to your email account in order to preserve them. Please review these procedures as soon as practical:

<http://intranet.epa.gov/mobiledevices/pdf/Instructions-Saving-Text-Messages.pdf>

*****End DRAFT*****

The link above refers to this material below, but due to the likelihood of much of the intended audience being on response duty, it will not be included in the body of the email:

Quick Reference Guide

How to Save Text Messages

EPA *discourages* the use of text messages for transmitting substantive (or non-transitory) federal records. If a substantive (or non-transitory) text message is sent or received on your mobile device, it must be saved into an approved EPA records management system. In order to comply with this requirement, you can forward text messages into the EPA email system. When forwarding the text message from the mobile device to the EPA email system, you must include contextual information such as the time, date, subject, and sender/recipient of the message. Please follow the instructions below to manage text messages that are substantive (or non-transitory) records.

How to Forward Text Messages to Email from an iPhone

1. Tap the **Messages** icon on the device.
2. Find the text message conversation that you need to save as a record.
3. Tap and hold one of the text messages in the conversation.
4. Tap the “**More**” option that appears above the text message.

5. Put a check mark in the circle beside any or all of the text messages that you want to save as records.
6. Tap the blue arrow icon in the lower right corner of the screen.
7. Type your EPA email address in the “**To**” field.
8. After the text message, enter contextual information about the message including: to, from, date, time, and a relevant subject, then tap “Send.” For example, add “(To: Susan Employee, From John Worker, Date: 01.01.15, Time: 6:35 PM, Subject: Project Y).”
9. After receiving the email containing the text message, follow the EZ Email Records process in Outlook to save the email as a record. After following these instructions, you may also notice that a copy of the message containing the contextual information created in step 8, appears in your list of messages in the Messages app on your phone.

Additionally, as reflected in the Agency’s Records Policy, all official business should first and foremost be done on Agency devices, and not on personal devices (FAQs about mobile and portable devices and records can be found at www.epa.records.gov).

Matt Duran

Director, Information Systems Program

Office of Technical and Management Services

EPA Region 8

1595 Wynkoop St. (8TMS)

Denver, CO 80202-1129

(303)312-6921 office

(720) 537-1368 mobile

From: Duran, Matt
Sent: Wednesday, August 12, 2015 12:42 PM
To: Boydston, Michael
Cc: MacLeish, Phoebe
Subject: final review requested. FW: Action needed. DRAFT Please review and attach guidance where indicated. Thanks.

Thanks, Mike.

Matt

Originator: Deb or Rick

To: All Region 8

*****DRAFT*****

Dear Region 8 Colleagues:

I greatly appreciate all of your efforts both dealing with the Gold King mine spill, as well as keeping the rest of our important work in EPA Region 8 moving forward. During these times, I feel it is important to remind you all of the need to preserve agency records, especially in the area of text messages. According to EPA records management guidelines, EPA discourages the use of text messaging, on any mobile device, to send or receive substantive (or non-transitory) Agency records. While we recognize the value text messaging can provide, especially during

emergency response situations, records management guidelines **must** still be followed. If such use does occur, then the person creating or sending the text message must copy it into their EPA email account at the time of transmission or else forward that message to their EPA email account within 20 days of creation or sending. In light of that, I wanted to take this opportunity to remind you that if you are using text messages to create substantive or “non-transitory” messages you will likely need to **save any messages** related to Gold King, *regardless of whether it is a federal record*. This is because many communications related to Gold King are likely to be responsive to pending Freedom of Information Act requests. In addition, communications about Gold King are covered by a litigation hold requiring their preservation until further notice. **Do not delete any communications that are in any way related to Gold King or to the Animas River.**

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2. Find the text message conversation that you need to save as a record.
3. Tap and hold one of the text messages in the conversation.
4. Tap the “**More**” option that appears above the text message.

5. Put a check mark in the circle beside any or all of the text messages that you want to save as records.
6. Tap the blue arrow icon in the lower right corner of the screen.
7. Type your EPA email address in the “**To**” field.
8. After the text message, enter contextual information about the message including: to, from, date, time, and a relevant subject, then tap “Send.” For example, add “(To: Susan Employee, From John Worker, Date: 01.01.15, Time: 6:35 PM, Subject: Project Y).”
9. After receiving the email containing the text message, follow the EZ Email Records process in Outlook to save the email as a record. After following these instructions, you may also notice that a copy of the message containing the contextual information created in step 8, appears in your list of messages in the Messages app on your phone.

<http://intranet.epa.gov/mobiledevices/pdf/Instructions-Saving-Text-Messages.pdf>

Additionally, as reflected in the Agency’s Records Policy, all official business should first and foremost be done on Agency devices, and not on personal devices (FAQs about mobile and portable devices and records can be found at www.epa.records.gov).

Matt Duran

Director, Information Systems Program

Office of Technical and Management Services

EPA Region 8

1595 Wynkoop St. (8TMS)

Denver, CO 80202-1129

(303)312-6921 office

(720) 537-1368 mobile

From: MacLeish, Phoebe

Sent: Wednesday, August 12, 2015 12:32 PM

To: Duran, Matt; Boydston, Michael

Subject: RE: Action needed. DRAFT Please review and attach guidance where indicated. Thanks.

Edited draft for your review – I’ve incorporated Mike’s edits

Saved a word and also pasted below

Draft:

According to EPA records management guidelines, EPA discourages the use of text messaging, on any mobile device, to send or receive substantive (or non-transitory) Agency records. While we recognize the value text messaging can provide, especially during emergency response situations, records management guidelines ***must*** still be followed. If such use does occur, then the person creating or sending the text message must copy it into their EPA email account at the time of transmission or else forward that message to their EPA email account within 20 days of creation or sending. In light of that, I wanted to take this opportunity to remind you that if you are using text messages to create substantive or “non-transitory” messages you will likely need to **save any messages** related to Gold King, *regardless of whether it is a federal record*. This is because many communications related to Gold King are likely to be responsive to pending Freedom of Information Act requests. In addition, communications about Gold King are covered by a litigation hold requiring their preservation until further notice. **Do not delete any communications that are in any way related to Gold King or to the Animas River.**

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2. Find the text message conversation that you need to save as a record.
3. Tap and hold one of the text messages in the conversation.
4. Tap the “***More***” option that appears above the text message.
5. Put a check mark in the circle beside any or all of the text messages that you want to save as records.
6. Tap the blue arrow icon in the lower right corner of the screen.
7. Type your EPA email address in the “***To***” field.
8. After the text message, enter contextual information about the message including: to, from, date, time, and a relevant subject, then tap “Send.” For example, add “(To: Susan Employee, From John Worker, Date: 01.01.15, Time: 6:35 PM, Subject: Project Y).”
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<http://intranet.epa.gov/mobiledevices/pdf/Instructions-Saving-Text-Messages.pdf>

Additionally, as reflected in the Agency's Records Policy, all official business should first and foremost be done on Agency devices, and not on personal devices (FAQs about mobile and portable devices and records can be found at www.epa.records.gov).

Phoebe MacLeish

Regional Records Officer

Privacy Liaison Officer

US EPA -Region 8

1595 Wynkoop St.

Denver, CO 80202

303.312.6546

Macleish.phoebe@epa.gov

From: Duran, Matt

Sent: Wednesday, August 12, 2015 11:43 AM

To: Boydston, Michael

Cc: MacLeish, Phoebe

Subject: FW: Action needed. DRAFT Please review and attach guidance where indicated.
Thanks.

Mike,

Can you review the material below. We are doing our best to produce guidance before noon internal deadline.

Thanks.

Matt Duran

Director, Information Systems Program

Office of Technical and Management Services

EPA Region 8

1595 Wynkoop St. (8TMS)

Denver, CO 80202-1129

(303)312-6921 office

(720) 537-1368 mobile

From: MacLeish, Phoebe

Sent: Wednesday, August 12, 2015 10:55 AM

To: Duran, Matt

Subject: RE: Action needed. DRAFT Please review and attach guidance where indicated.
Thanks.

Draft:

According to EPA records management guidelines, EPA discourages the use of text messaging, on any mobile device, to send or receive substantive (or non-transitory) Agency records. While we recognize the value text messaging can provide, especially during emergency response situations, records management guidelines *must* be followed. In light of that, I wanted to take this opportunity to remind you that if you are using text messages to create substantive or “non-transitory” messages, they need to be persevered in accordance with agency policy and federal law. The information below provides guidance on how to forward text messages to your email account in order to preserve them:

Quick Reference Guide

How to Save Text Messages

EPA *discourages* the use of text messages for transmitting substantive (or non-transitory) federal records. (Wait, what is a “non-transitory” or “substantive” record?) If a substantive (or non-transitory) text message is sent or received on your mobile device, it must be saved into an approved records management system. In order to comply with this requirement, you can forward the text message into the EPA email system, so that you may then save it as a record using EZ Email Records, or another approved recordkeeping system. When forwarding the text message from the mobile device to the EPA email system, you must include contextual information such as the time, date, subject, and sender/recipient of the message. Please follow the instructions below to manage text messages that are substantive (or non-transitory) records.

How to Forward Text Messages to Email from an iPhone

1. Tap the **Messages** icon on the device.
2. Find the text message conversation that you need to save as a record.
3. Tap and hold one of the text messages in the conversation.
4. Tap the “**More**” option that appears above the text message.
5. Put a check mark in the circle beside any or all of the text messages that you want to save as records.
6. Tap the blue arrow icon in the lower right corner of the screen.
7. Type your EPA email address in the “**To**” field.
8. After the text message, enter contextual information about the message including: to, from, date, time, and a relevant subject, then tap “Send.” For example, add “(To: Susan Employee, From John Worker, Date: 01.01.15, Time: 6:35 PM, Subject: Project Y).”
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<http://intranet.epa.gov/mobiledevices/pdf/Instructions-Saving-Text-Messages.pdf>

Additionally, as reflected in the Agency's Records Policy, all official business should first and foremost be done on Agency devices, and not on personal devices (see some highlights of the policy posted below or go to www.epa.records.gov)

"All EPA staff generate and receive records and are legally required to maintain them. Records document the Agency's business and can be found in all media such as paper, email, instant messaging (IM), text messages, telephone messages, voice mail messages,

presentations, websites, social media (e.g., Facebook, Twitter, etc.), word processing documents, spreadsheets, and information systems. If electronic records are created using any of these media, they need to be transferred to an electronic records management system.

Official Agency business should first and foremost be done on official EPA information systems. The FRA now prohibits the creation or sending of a federal record using a non- EPA electronic messaging account unless the individual creating or sending the record either: (1) copies their EPA email account at the time of initial creation or transmission of the record, or (2) forwards a complete copy of the record to their EPA email account within

20 days of the original creation or transmission of the record. These FRA requirements are designed to ensure that any use of a non-EPA information system does not affect the preservation of federal records for FRA purposes, or the ability to identify and process those

records if requested under the Freedom of Information Act (FOIA), Privacy Act or for other

official business (e.g., litigation, congressional oversight requests, etc.). EPA strongly discourages the use of personal email or other personal electronic messaging systems, including text messaging on a personal mobile device, for sending or receiving Agency records, but to the extent such use occurs, the individual creating or sending the record from a non-EPA electronic messaging system must copy their EPA email account at the time of transmission or forward that record to their EPA email account within 20 days of creation or sending.

Additionally, EPA discourages the use of text messaging on a mobile device for sending or receiving substantive (or non-transitory) Agency records. However, EPA recognizes that some Agency staff perform time-sensitive work that may, at times, require the creation of substantive (or non-transitory) records in the form of text messages for emergency or environmental notification purposes. In those limited instances, staff must continue to save and manage any text message records related to their work...."

=====

Phoebe MacLeish

Regional Records Officer

Privacy Liaison Officer

US EPA -Region 8

1595 Wynkoop St.

Denver, CO 80202

303.312.6546

Macleish.phoebe@epa.gov

From: MacLeish, Phoebe

Sent: Wednesday, August 12, 2015 10:38 AM

To: Duran, Matt

Subject: RE: Action needed. DRAFT Please review and attach guidance where indicated.
Thanks.

See comments below. Some record language edits. Use as you'd like.

Phoebe

~~~~~  
**Phoebe MacLeish**

Regional Records Officer

Privacy Liaison Officer

US EPA -Region 8

1595 Wynkoop St.

Denver, CO 80202

303.312.6546

[MacLeish.phoebe@epa.gov](mailto:MacLeish.phoebe@epa.gov)

**From:** Duran, Matt

**Sent:** Wednesday, August 12, 2015 10:13 AM

**To:** MacLeish, Phoebe

**Subject:** Action needed. DRAFT Please review and attach guidance where indicated.  
Thanks.

-I'm proposing this originate from me, with cc to Rick, Deb/Shawn, etc. They may choose to originate it from Rick or ORC.

-

Please integrate into your current draft planning

DRAFT

Good Afternoon,

~~Due to~~ According to EPA records management issues guidelines, EPA discourages the use



of text messages. While we ~~We also~~ recognize the value text messaging can provide, especially during emergency response situations, records management guidelines *must* be followed. In light of that, I wanted to take this opportunity to remind you that if you are using text messages to create substantive or non-transitory messages they need to be persevered in accordance with agency policy and federal law (<http://www.epa.gov/records/faqs/pda.htm>) ~~(see attachment below for details on what qualifies as a substantive record)~~. The attachment below provides guidance on how to forward text messages to your email account in order to preserve them.

*Additionally*, as reflected in the [Agency's Records Policy](#), all official business should first and foremost be done on Agency devices, and not on personal devices.

## Quick Reference Guide

### How to Save Text Messages

EPA *discourages* the use of text messages for transmitting substantive (or non-transitory) federal records. (Wait, what is a “non-transitory” or “substantive” record?) If a substantive (or non-transitory) text message is sent or received on your mobile device, it must be saved into an approved records management system. In order to comply with this requirement, you can forward the text message into the EPA email system, so that you may then save it as a record using EZ Email Records, or another approved recordkeeping system. When forwarding the text message from the mobile device to the EPA email system, you must include contextual information such as the time, date, subject, and sender/recipient of the message. Please follow the instructions below to manage text messages that are substantive (or non-transitory) records.

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4. Tap the “*More*” option that appears above the text message.
5. Put a check mark in the circle beside any or all of the text messages that you want to save as records.
6. Tap the blue arrow icon in the lower right corner of the screen.

7. Type your EPA email address in the “*To*” field.
8. After the text message, enter contextual information about the message including: to, from, date, time, and a relevant subject, then tap “Send.” For example, add “(To: Susan Employee, From John Worker, Date: 01.01.15, Time: 6:35 PM, Subject: Project Y).”
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Matt Duran

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